

## SECTION 10 - COMMERCIAL GROUND TRANSPORTATION

### 10.1 Purpose

These rules and regulations are promulgated to promote customer service and ensure safe, efficient and consistent movement for both the traveling public and commercial Passenger Carriers and Drivers transporting passengers to or from Eppley Airfield (note: terms in Section 10 of the OAA's Rules and Regulations are defined herein, or have the meaning defined elsewhere in the OAA's Rules and Regulations, or the State of Nebraska Public Service Commission's Motor Carrier Rules and Regulations).

### 10.2 Applicability

The provision of ground transportation services at Eppley Airfield shall be governed by all applicable laws and ordinances (federal, state and local) in addition to these Rules and Regulations. Any person who engages in the provision of commercial ground transportation services at Eppley Airfield in a manner that is in violation of these Commercial Ground Transportation Rules and Regulations (CGTRR) shall be subject to the enforcement section of these CGTRR.

Prior to operating at Eppley Airfield all ground transportation Passenger Carriers that desire to pick up or drop off passengers and conduct any business that generates revenue directly or indirectly from Eppley Airfield involving the movement of passengers in surface vehicles shall have in place, to the extent applicable as determined by the sole discretion of the OAA: (1) a valid classification permit issued by the State of Nebraska Public Services Commission (PSC) (for those entities within the PSC jurisdiction) as described in the PSC's Motor Carrier Rules and Regulations, and have filed the same with the Authority, (2) a fully executed and valid Passenger Carrier Vehicle Permit issued by the Omaha Airport Authority, (3) a valid certificate of insurance including all provisions as stipulated herein, (4) all applicable City or PSC permits, documents and/or provisions required for the classification of Passenger Carrier Vehicle(s) operated, and (5) all applicable Department of Transportation (DOT) permits, inspections, documents and/or provisions required for the classification of Passenger Carrier Vehicle(s) operated. Depending on the type of service being offered and business activities of the Passenger Carriers and Drivers, additional requirements may apply as specified by the OAA Police; in the Passenger Carrier Permit Application contained herein; other resolutions passed by the Authority's Board of Directors; other contracts, permits, regulations, license agreements, or other documents. Passenger Carriers or Drivers that do not have an active Permit or that are seeking additional information should contact the Airport Police / Communications Center at 402.661.8100 in advance of operating at Eppley Airfield.

Drivers of Passenger Carriers transporting passengers to or from Eppley Airfield shall be subject to these Airport Rules and Regulations. Passenger Carriers are responsible for obtaining the latest version of the CGTRR and ensuring all current and future employees and/or independent contractors are familiar with, and comply with, these Rules and Regulations.

It is the intention of the Omaha Airport Authority, through its Airport Police enforcement activities, to encourage Passenger Carriers, to operate in an orderly and safe manner by complying with the CGTRR contained herein.

### 10.3 Definitions

CGTRR: OAA's Commercial Ground Transportation Rules & Regulations as represented herein as Section 10 of the Omaha Airport Authority's Rules & Regulations.

Charter Bus: A motor vehicle having a seating capacity of twenty (20) or more passengers, which operates over a fixed route or on a charter basis and has valid operating authority from the State of Nebraska Public Service Commission or U.S. Department of Transportation.

Commercial Vehicle Lanes: For purposes of this regulation the Commercial Lane (see Exhibit B) is defined as the outer lanes of the terminal drive west of the center island and adjacent to the right-hand curb.

Curb Coordinators and Customer Service Representatives: OAA-approved staff only to facilitate ground transportation customer service initiatives identified as "ParkOMA Customer Service" and at the discretion of OAA to be stationed on a center island, sidewalk, in-terminal or other landside facilities as necessary.

Driver: Any properly trained and appropriately licensed person who operates a Passenger Carrier or Commercial Vehicle.

Limousine: Service consists of all of the following elements: (1) the business of carrying passengers for hire by a premium-type vehicle (2) along a route under the control of the person who hired the vehicle and not over a defined regular route (3) on prearranged and not on a demand basis (4) at a premium fare.

OAA - Airport Authority of the City of Omaha.

Open Class: Service shall consist of the following elements: (1) the business of carrying passengers for hire by a vehicle (2) along the most direct route between the points of origin and destination or along a route under the control of the person who hired the vehicle and not over a defined regular route (3) on a prearranged and not on a demand basis, (4) at a mileage based, per Trip fare, or an hourly rate.

Passenger Carrier: A corporation, company, association, entity or individual holding a permit from the PSC, DOT, and from the OAA. A corporation, company, association, entity or individual shall be deemed by OAA as a separate business and unique carrier for each type of permit granted by OAA (e.g. Taxicab, Limousine, Open Class, Charter Bus, Shared-Ride Van, Shuttle Vehicle, and TNC).

Passenger Carrier Permit: A fully executed Permit (Exhibit A of this CGTRR) is required by all Passenger Carriers utilizing the Eppley Airfield roadway system.

Passenger Carrier Permit Application: The application (Exhibit A of this CGTRR) must be submitted by all Passenger Carriers prior to utilizing the Eppley Airfield roadway system.

Passenger Carrier Vehicle: For purposes of this regulation, Passenger Carrier Vehicles (Vehicles) shall be defined as:

1. Vehicles operating on the Eppley Airfield Terminal Roadways and Commercial Carrier Lanes for purposes of transporting passengers for a fee whether that fee is paid by the passenger or not; or
2. Vehicles operating on the Eppley Airfield Terminal Roadways and Commercial Carrier Lanes for purposes of transporting passengers to a particular commercial enterprise or event, operated by that commercial enterprise or event sponsor for which no direct fee is charged to the passenger.

This definition is intended to include, but is not limited to, Taxicabs, Limousines, scheduled charter buses, Shared-Ride Vans, hotel/motel/casino Shuttle Vehicles, any facility transporting off-airport parking customers utilizing Shuttle Vehicles, City Bus, any vehicles operated for purposes of commercial car rental enterprises, Transportation Network Company (TNC) vehicles, and any other vehicle used for as a Passenger Carrier service defined by the PSC. This definition does not include the OAA's (or its contracted provider) on-airport parking shuttles.

Passenger Carrier Vehicle Permit: A decal or sticker may be issued by the OAA evidencing Driver's authority to operate Passenger Carrier Vehicle at Eppley Airfield.

Prearranged: Service requested and arranged in advance of the time that the service is to be performed.

PSC: The Nebraska Public Service Commission. The PSC's Transportation Department regulates intrastate transportation for hire by motor carriers of passengers on the public highways of the State of Nebraska.

Revocation – As more fully described within Section 10.10 herein, the temporary or permanent discontinuance of Driver privileges to pick up and drop off passengers at Eppley Airfield.

Shared-Ride Van - A Passenger Carrier Vehicle designed to carry between three (3) and fourteen (14) passengers not including the Driver for hire operating to and from fixed points of pickup and drop-off for a fixed rate or fare. Conventional passenger station wagons, sedans, sport utility vehicles and Limousines shall not be considered vans.

Shuttle Vehicle - Those vehicles used in the business operation of any hotel, motel, casino, or parking lot solely to transport customers between landside points at Eppley Airfield and such hotel, motel, casino, or parking lot located on or off Airport property.

Solicit/Solicitation - The uninvited initiation of a conversation with any potential customer for the purpose of enticing or persuading said customer to use any service or facilities provided by any Driver.

Taxicab: Service consists of all of the following elements: (1) the PSC-permitted business of carrying passengers for hire by a vehicle (2) along the most direct route between the points of origin and destination or a route under the control of the person who hired the vehicle and not over a defined regular route (3) on a Prearranged or demand basis (4) at a metered mileage based or per Trip fare (5) commencing within and/or restricted to a defined geographic area.

Terminal Drive Lanes: – The three (3) innermost lanes east of the center island and adjacent to the Terminal building and used to access terminal entrances by privately owned, non-commercial vehicles.

Transportation Network Company (TNC): an organization, including a corporation, a limited liability company, a partnership, a sole proprietor, or any other entity, operating with a valid PSC permit in the State of Nebraska that provides prearranged transportation services for compensation using an online-enabled application or platform to connect passengers with affiliated Drivers using a personal vehicle. TNC's are also referred to as Ride Share or Ride App Pick up

Trip: A scheduled or unscheduled arrival and/or departure on Eppley Airfield roadways by a Driver, vehicle, or Passenger Carrier.

Violation Notice: As more fully described within Section 10.10 herein, a written administrative notice of violation of OAA Rules and Regulations issued by any Airport police officer or any OAA personnel, representative or agent designated by the Executive Director to enforce the CGTRR.

#### **10.4 Permissions**

All Passenger Carriers and Drivers operating on behalf of Passenger Carriers utilizing the Eppley Airfield roadway system are required to operate in compliance with the Rules and Regulations of the Omaha Airport Authority detailed herein; and, shall have the permission of the Omaha Airport Authority to operate at Eppley Airfield. Passenger Carriers shall apply for permission to operate by submitting a Passenger Carrier Permit Application (See paragraph 10.11). Once the Passenger Carrier Permit Application is signed by an authorized representative, the Omaha Airport Authority will review required documentation and pertinent information, and in its sole discretion acknowledge and approve (or disapprove) an application. A signed copy of Exhibit A that is fully executed by both the Passenger Carrier and Omaha Airport Authority will be returned to the Passenger Carrier and will serve as the Passenger Carrier Permit. Upon approval of the application the Passenger Carrier may be issued permission/permits for Drivers operating on their behalf to operate. If issued, Passenger Carrier Vehicle Permit will be for the specific vehicle on which it is affixed, will be non-transferable, and may be subject to annual review. Details relating to the permitting process are maintained by the Omaha Airport Authority.

## 10.5 General Operating Procedures for All Passenger Carriers

In addition to the rules outlined herein all Passenger Carriers and Drivers utilizing the Eppley Airfield roadway system are subject to, and shall comply, with:

- A. Transportation Security Administration security measures as issued via a Security Directives;
- B. Airport Police Department procedures for controlling access to the Commercial Passenger Carrier lane, terminal building, or other areas of Eppley Airfield.
- C. ADA: Passenger Carrier acknowledges, pursuant to Titles II and III of the Americans with Disabilities Act ("ADA") of 1990, as implemented by DOT regulations at 49 CFR Parts 37 and 38 programs, services and other activities provided by a public entity, whether directly or through a contractor, that certain vehicles must be accessible to the disabled public (with particular emphasis on shuttle buses). Passenger Carriers and Drivers shall ensure that the services specified in this CGTRR are provided in a manner that complies with the ADA. Passenger Carrier agree not to discriminate against disabled persons in the provision of services, benefits or activities provided under this CGTRR and Passenger Carrier Vehicle Permit Application, and to actively regulate the activities of Drivers to ensure they do not discriminate against disabled persons. Passenger Carrier further agrees that any violation of this prohibition on the part of Passenger Carrier, its employees, agents or assigns shall constitute a material breach of this CGTRR.
- D. Signs: Drivers shall comply and obey all signs posted by OAA upon Eppley Airfield Roadways;
- E. Driver Appearance and Name Tag: Drivers shall present a neat appearance with Driver's name tag/identification clearly visible while passengers are in-vehicle;
- F. Driver Courtesy: Drivers and agents of Passenger Carriers shall be courteous to members of the public, all Airport Police, OAA-authorized personnel, and any state or local officers;
- G. Passenger Carriers shall abide by all applicable requirements of the PSC's Motor Carrier Rules and Regulations with special attention to sections specifying (i) Driver Requirements and Hours of Operation; (ii) Medical Certificate requirements, and (iii) Drugs and Alcohol Policy;
- H. Soliciting: Drivers and third persons representing Passenger Carriers shall not Solicit passengers on Eppley Airfield premises for any reason;
- I. Advertising: Passenger Carriers, their Drivers, and agents on Passenger Carrier Vehicles shall not erect, post or place any sign, business card or any form of advertising anywhere on Eppley Airfield premises without prior written approval of OAA;

- J.** Curb Coordinators and Customer Service Representatives: Passenger Carriers shall not use employees or agents on a traffic island, sidewalk, or in terminal for any reason without prior written approval of OAA;
- K.** Crosswalks: Drivers shall not stop any vehicle on or in a crosswalk; additionally passengers crossing the crosswalks have right of way over Drivers and Drivers must stop for passengers crossing.
- L.** Use of Vehicles: Drivers of any Passenger Carrier Vehicles shall not use their vehicle to unreasonably block, cut off or restrict the movement of a vehicle of another commercial Passenger Carrier parked at the Commercial Lane Curb. Upon arrival at any designated curb zone (see Exhibit B), Drivers shall, to the extent possible, stop their vehicles at the furthestmost front position of the applicable curb zone, or where assigned.
- M.** Unattended Vehicles: Drivers of any Passenger Carrier Vehicles shall not leave a vehicle unattended at any curb without permission from the OAA Police. Unattended vehicles may be cited or removed. If Drivers do not obtain permission and must park or leave their vehicles unattended, they may park in a ParkOMA public parking facility most appropriate to accommodate the Passenger Carrier Vehicle's height and length and pay the corresponding parking fees.
- N.** In addition to the requirements specified herein for minimum liability insurance coverage, Passenger Carriers and Driver shall also carry uninsured and underinsured motorist coverage with a minimum limit of one hundred thousand (\$100,000) per person, three hundred thousand \$300,000 aggregate per accident coverage.
- O.** Alcoholic Beverage or Controlled Substance: The use, possession, or operating under the influence of any alcoholic beverage, or controlled substance while operating at Eppley Airfield is prohibited. Passenger Carriers and Drivers shall be in compliance with 49 CFR Parts 40 and 383.
- P.** False Information: Providing false information to the Omaha Airport Authority is prohibited.
- Q.** Criminal Conduct: Criminal conduct of any nature is prohibited.
- R.** Passenger Carrier Vehicle Operation: Failure to operate a vehicle in a safe manner as required by the Nebraska Motor Vehicle Code is prohibited.
- S.** Driver Conduct: Use of profane or vulgar language directed to or at the public, OAA personnel or to another Passenger Carrier Vehicles Driver is prohibited.
- T.** A regulated motor common or contract carrier of passengers shall not operate any vehicle on any Eppley Airfield roadways except in accordance with state laws, PSC Rules and Regulation and subject to these CGTRR.

## 10.6 Shuttle Vehicles

- A.** Shuttle vehicles shall be identified with the name and/or logo of the company requesting the permit.
- B.** Shuttle Vehicle Requirements
1. Use of the Commercial Lane is restricted to designated Shuttle Vehicle areas only (See Exhibit B).
  2. Dwell time on the Commercial Lane shall be limited to active loading and unloading of passengers or as allowed by OAA personnel.
  3. Unless directed by Airport Police, no Shuttle Vehicle idling is permitted.
  4. Unless permitted by OAA personnel, at no time shall more than one (1) of the Passenger Carrier Vehicles use the Commercial Lane.
  5. So as not to disrupt the active operations of the outermost Commercial Lane for all other Passenger Carriers, Drivers shall safely move to the inner Commercial Lane's assigned areas for active passenger pick-up and drop-off.
  6. Passenger Carriers must adhere to requirements in Sections 10.5 and this Section 10.6.
- C.** Proof of insurance coverage must be submitted to the Omaha Airport Authority with the Passenger Carrier Permit Application and presented by the Driver upon the demand of a representative of the Omaha Airport Authority. The Omaha Airport Authority shall be named Additional Insured.

Each Shuttle Vehicle operating at Eppley Airfield shall have minimum automobile liability insurance coverage for any one accident as well as commercial general liability coverage in an amount not less than:

- |    |                             |             |
|----|-----------------------------|-------------|
| 1. | Seven passengers or less    | \$500,000   |
| 2. | Eight to Fifteen passengers | \$1,500,000 |
| 3. | Sixteen passengers or more  | \$5,000,000 |

## 10.7 Limousine and Open Class

- A.** All Passenger Carrier Vehicles used as Limousines and Open Class for hire picking up passengers at Eppley Airfield by prior appointment or pre-arrangement with the passengers shall pick up passengers in one of the following manners:
1. Upon arrival at Eppley Airfield, if the Limousine and Open Class Driver has pre-arranged to meet the passenger(s) within 20 minutes of the

passenger(s) arrival the Driver may proceed to the Commercial Vehicle Lanes to meet and load his passengers, or;

2. If waiting longer than 20 minutes, the Limousine and Open Class Driver may proceed to a paid public parking area and park the Limousine and Open Class in any unrestricted area. The Driver shall then proceed to the appropriate location to contact the passenger(s). After contacting the passenger(s), the Driver may arrange to load the passenger(s) either in the North Garage or South Garage (and pay associated parking fees) or in the Commercial Vehicle Lanes designated area for Limousine and Open Class services (see Exhibit B).
3. Limousines and Open Class may drop off passengers along the Commercial Vehicle Lanes passenger loading curb but shall not remain any longer than necessary to unload passengers and baggage.
4. Drivers of Limousines and Open Class shall not solicit fares at Eppley Airfield.

- B.** Proof of insurance coverage, in the amounts required by the Nebraska Public Service Commission, must be submitted to the Omaha Airport Authority with the Passenger Carrier Permit Application; and presented by the Driver upon the demand of a representative of the Omaha Airport Authority. The presentation of a Nebraska Public Service Commission Form E, Certificate of Insurance is sufficient to demonstrate proof of insurance coverage. The Omaha Airport Authority shall be named Additional Insured.

Each Limousines and Open Class for hire vehicle operating at Eppley Airfield shall have minimum automobile liability insurance coverage for any one accident as well as commercial general liability coverage in an amount not less than:

- |    |                             |             |
|----|-----------------------------|-------------|
| 1. | Seven passengers or less    | \$500,000   |
| 2. | Eight to Fifteen passengers | \$1,500,000 |
| 3. | Sixteen passengers or more  | \$5,000,000 |

### **10.8 Scheduled Charter Bus and Shared-Ride Van Service**

- A.** Includes those buses and vans operating on a pre-determined or scheduled basis.
- B.** No Charter Bus or Shared-Ride Van Driver may solicit fares at Eppley Airfield.
- C.** As depicted in Exhibit B, Charter Buses and Shared-Ride Vans shall only utilize designated zones of the Commercial Vehicle Lanes to pick up and drop off passengers, or as directed by OAA Police. No buses or vans shall be parked for a period in excess of twenty (20) minutes.



- D.** Proof of insurance coverage must be submitted to the Omaha Airport Authority with the Passenger Carrier Permit Application and presented by the Driver upon the demand of a representative of the Omaha Airport Authority. The Omaha Airport Authority shall be named Additional Insured.

Each Bus and Shared-Ride Van vehicle operating at Eppley Airfield shall have minimum automobile liability insurance coverage for any one accident as well as commercial general liability coverage in an amount not less than:

- |    |                             |             |
|----|-----------------------------|-------------|
| 1. | Seven passengers or less    | \$500,000   |
| 2. | Eight to Fifteen passengers | \$1,500,000 |
| 3. | Sixteen passengers or more  | \$5,000,000 |

- E.** Infrequent or one-time-only Passenger Carriers operating Charter Bus or Shared-Ride Van who do not have a Passenger Carrier Vehicle Permit may only operate at Eppley Airfield with the written permission of the Airport Police. Passenger Carriers and/or Drivers that do not have a Passenger Carrier Vehicle Permit and wish to obtain one or seek one-time-only permission must contact the Airport Police / Communications Center at 402.661.8100 in advance of operating at Eppley Airfield. The Passenger Carriers and/or Driver may be required to provide evidence of appropriate Federal or PSC permits along with proof of insurance in amounts as outlined above or other information as necessary based on the description of services.
- F.** Charter buses and Shared-Ride Vans using the Commercial Vehicle Lanes shall have the company name or logo on the outside of the vehicle; or display an appropriate placard approved by the Airport Police Department.

## **10.9 Taxicabs**

- A.** While operating at Eppley Airfield, each Driver of a Taxicab shall have in their possession the following:
1. A valid state issued motor vehicle Driver's license appropriate for the vehicle being operated.
  2. A valid, properly affixed state license plate and PSC plate on the Taxicab.
  3. A valid, operational and properly sealed taximeter or electronic meter, as approved by the PSC, for use in computing the amount of fare to charge for a passenger Trip.
  4. A valid Taxicab Driver's Permit issued by the City of Omaha and properly displayed.

5. Proof of Insurance coverage, in amounts not less than that required by the Nebraska Public Service Commission, must be submitted to the Omaha Airport Authority with the Passenger Carrier Permit Application and presented by the Driver upon the demand of an Airport Police Officer. The Omaha Airport Authority shall be named Additional Insured.

Each Taxicab operating at Eppley Airfield shall have minimum automobile liability insurance coverage for any one accident as well as commercial general liability coverage in an amount not less than:

1.	Seven passengers or less	\$500,000
2.	Eight to Fifteen passengers	\$1,500,000
3.	Sixteen passengers or more	\$5,000,000

6. A current "Flat Rate Sheet" approved by the Nebraska Public Service Commission.

**B. General Operating Rules for Taxicabs**

1. Taxicabs shall be identified with the name and/or logo of the company requesting the permit.
2. Taxicabs parked in the terminal Taxicab stand are to be attended continuously unless a Driver is using a terminal restroom or assisting a fare with luggage, etc.; subject to applicable security measures and Airport Police authorization.
  - a. If a Driver's absence from their Taxicab for these reasons is abused or becomes excessive, appropriate corrective action will be taken.
  - b. If a Driver has other business that requires leaving his or her Taxicab unattended, he/she shall relocate the vehicle to a paid public ParkOMA parking area.
3. Parking, standing or stopping in any lane other than the passenger loading curb, or Commercial Vehicle Lane (as defined above) is prohibited.
4. Taxicabs shall be considered available for service at all times. Refusal to operate Taxicabs for public transportation or refusing a fare, while on OAA property is prohibited.
5. Taxicabs present at Eppley Airfield to pick up prearranged fares may use the Commercial Vehicle Lane in front of the terminal Taxicab stand, or other location as directed by Airport Police.

**C. Areas of Operation for Taxicabs**

1. Taxicabs are allowed to operate in two areas of the Eppley Airfield Terminal Building complex.
  - a. The Taxicab feeder line (or staging) area is located south of the Terminal Building. This area is accessed from Pratt Court along the Abbott Drive frontage road.
  - b. The terminal Taxicab stand is located in the Commercial Vehicle Lane across from Door #3; and is intended as a standby location for passenger pickup.

**D. Feeder Line for Passenger Pick-Up Operations for Taxicabs**

1. Taxicab Drivers shall ensure that access along the Abbott Drive frontage road is maintained at all times.
2. The feeder line is intended as a long term waiting or staging area for Taxicabs in excess of those waiting in the Terminal Taxicab stand areas across from Door #3.
3. Taxicabs shall park single file along the east curb, south of the Gate G entrance, and along the west curb, north of the Gate G entrance.
4. Drivers needing to leave the feeder line and the Airport may do so by driving south on the frontage road or using the Commercial Vehicle Lanes. Curb hopping or driving against traffic on any airport road is prohibited.
5. There is a call light located at the north end of the feeder line. When activated, this call light alerts the first Taxicab in the feeder line to proceed to the Taxicab stand at the Terminal.
6. The portable toilet facility located in the feeder line area is for Drivers use. Misuse or abuse of this facility could result in its removal.
7. Drivers are required to remain with their vehicles at all times when in the Feeder Line.

**E. Terminal Taxicab Stand Operation for Taxicabs**

1. The maximum number of Taxicabs allowed to standby in the Terminal Taxicab stand at any one time is two. The Airport Police may authorize additional Taxicabs should events or circumstances require additional

Taxicab service. Should a Taxicab respond to the Terminal Taxicab stand in excess of the number allowed one of the Drivers must either:

- a. Return to the feeder line.
  - b. Leave the airport.
2. A switch, mounted on the overhead canopy support post at the Terminal Taxicab stand, shall be used by Taxicab Drivers to activate the call light at the feeder line.

Prior to a Taxicab departing the Terminal Taxicab stand with a fare, the Driver shall activate the call light so that another Taxicab can relocate from the feeder line to the Terminal Taxicab stand.

This procedure can only work when there is at least one Taxicab in the Terminal Taxicab stand and all Drivers are conscientious of alerting other drivers in the feeder line that there is space for them to move up to the Terminal Taxicab stand.

#### **F. Other Violations for Taxicab, Limousine, and Open Class Drivers**

1. The following conduct is prohibited for Drivers at Eppley Airfield:
  - a. Refusing to convey a passenger to the destination requested.
  - b. Possession of any of the items specified in Section 10.9 above in an altered or fictitious form or for another vehicle other than the one in operation at the time.
  - c. Any attempt to solicit fees in excess of those authorized by law.
  - d. Acceptance of a passenger for hire at any location on the Terminal Drive other than the assigned Commercial Vehicle Lane areas; unless authorized by Airport Police.
  - e. Refusing to transport any passenger's luggage, possessions, or wheelchair that can be accommodated in the passenger, Driver, or trunk compartments of the Taxicab.

- f. Misuse or abuse of the portable toilet facility located in the Taxicab feeder line, littering, or destruction of property in either the feeder line or the Taxicab stand areas.
- g. Refusing to accept a form of payment that has been authorized by the Passenger Carrier.
- h. Any Solicitation for any activity prohibited by the penal code of the State of Nebraska.

#### **10.10 General Enforcement Procedures for Passenger Carrier Vehicles Drivers**

- A.** With the exception of Transportation Network Company (TNC) Licensee/Driver compliance and violations included in Section 5 of OAA's TNC Non-Exclusive License Agreement (NELA), all Drivers of Commercial Passenger Carrier Vehicles operating under the authority of the Omaha Airport Authority Passenger Carrier Vehicle Permit shall be subject to the action outlined herein for violation of these Rules and Regulations.

**First Violation** - eviction of the Driver from airport property until the next business day. Written notice of the violation will be forwarded to the Driver and the Passenger Carrier Vehicle Permit holder.

**Second Violation** - eviction of the Driver from airport property for a period up to seven (7) calendar days. Written notice of the violation will be forwarded to the Driver and the Passenger Carrier Vehicle Permit holder.

**Third Violation** - suspension of the Driver for a period up to thirty (30) calendar days. Written notice of the violation will be forwarded to the Driver and the Passenger Carrier Vehicle Permit holder.

**Fourth Violation** - Revocation of the Driver's privilege for use of the Commercial Vehicle Lanes. Written notice of the violation will be forwarded to the Driver and the Passenger Carrier Vehicle Permit holder.

**Public Safety Interruption** – The Omaha Airport Authority may interrupt or suspend Driver's activities at the Airport and Driver's use of the Airport if, in the OAA's sole reasonable discretion, such interruption or termination is necessary in the interest of public safety.

- B. Appeal Procedure**

Individuals who are the subject of disciplinary action under these Rules and Regulations may appeal the action. Appeals must be in writing addressed to the Airport Police Chief. The appeal should:

1. Outline the facts of the violation, including the date, time, individuals involved, and all pertinent information.
2. Provide any mitigating circumstances to be considered.
3. Explain the reason discipline should not be administered, or
4. Explain why the decision should be reversed.

The Omaha Airport Authority Police Chief will review the appeal and make a determination, in consultation with the Director of Operations, on the merits of the appeal. The Omaha Airport Authority Police Chief will make a decision regarding the disciplinary action and whether or not it will be carried out, amended, or reversed. The decision of the Omaha Airport Authority Police Chief shall be final.

- C. Companies who are authorized to use the Commercial Vehicle Lanes via the Passenger Carrier Vehicle Permit process may have their Passenger Carrier Vehicle Permit suspended, or revoked, in the event individual Drivers for the company engage in repeated violations of these Rules and Regulations.

#### **10.11 Exhibits Incorporated by Reference**

The Passenger Carrier Permit Application (Exhibit A) and Designated Passenger Carrier Eppley Airfield Pick-up and Drop-off Zones (Exhibit B) are incorporated by reference and made a part hereof.

**Exhibit A  
Omaha Airport Authority (Eppley Airfield)  
Passenger Carrier Permit Application**

The company identified below is requesting permission to operate vehicles at Eppley Airfield for the purpose of transporting passengers to and from the airport.

Please type or print the following information

Passenger Carrier Name:		
Passenger Carrier Address:		
City:	State:	Zip:
Name of Contact Representative:		
Contact Phone Number:	Contact e-mail:	

Type of Passenger Carrier service provided (check all applicable classifications):

TNC <sup>1</sup>     
  Taxicab <sup>2</sup>     
  Limousine <sup>2</sup>     
  Open Class (describe business below) <sup>2</sup>  
 Bus (Scheduled or Charter)     
  Hotel and Parking Shuttles  
 Off-Airport Rental Car <sup>3</sup>     
  Other (describe business below)

Notes:

1. TNCs must enter into a Non-Exclusive License Agreement (NELA) with OAA prior to receiving a permit and commencing operations.
2. Taxicab, Limousine, and Open Class Passenger Carriers must abide by all provisions of OAA's for Hire (Taxicab, Limousine and Open Class) Trip Fee Resolution.
3. Off-Airport Rental Car companies must have a concession agreement with the airport and must abide by all provisions of OAA's Rental Car Customer Facility Charge Resolution.

Describe fleet size and class of vehicles to be operated on airport:

Number:	Class (i.e. van, motor coach, sedan, etc.):	Number of seats:
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Describe service to be provided, include any third-party business which may be served by your operation:

As an authorized representative of the Passenger Carrier identified above I agree that the Passenger Carrier and its Drivers, employees, independent operators, or representatives have a need to access and use the Commercial Vehicle Lanes at Eppley Airfield for its passenger transportation operations. Further by signing this permit the Passenger Carrier and its Drivers, employees, independent operators, or representatives agree to abide by applicable Resolutions of the Omaha Airport Authority as well as Rules and Regulations, especially as they pertain to commercial ground transportation. I acknowledge receipt and have read such Resolutions, Rules and Regulations. Any decals, access cards, etc., issued by OAA shall remain the property of the OAA and are subject to confiscation or revocation in accordance with the Resolutions, Rules and Regulations. To the extent there are violations of Resolutions and/or Rules and Regulations this permit is subject to being revoked. All the information on this application is true and correct.

In addition, Passenger Carrier and its Drivers, employees, independent operators or representatives shall abide by all applicable State and Federal law. The State of Nebraska Public Service Commission's Transportation Department regulates intrastate transportation for hire by motor carriers of passengers on the public highways of the State of Nebraska. Additionally, Federal Requirements of all Passenger Carriers and Drivers, to the extent applicable, include but are not limited to the items noted on the subsequent pages.

## **FEDERAL REQUIREMENTS**

### **Nondiscrimination**

During the performance of this Passenger Carrier Permit, Passenger Carrier for itself, its assignees and successors in interest, agrees as follows:

- A. Passenger Carrier for itself, its successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this Passenger Carrier Permit for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, Passenger Carrier shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.
- B. Passenger Carrier for itself, its successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that:
  - 1. no person on the grounds of race, creed, color, national origin or sex shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities;
  - 2. that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no persons on the grounds of race, creed, color, national origin or sex shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and
  - 3. that Passenger Carrier shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.
- C. Passenger Carrier shall make the Airport available to all users thereof on reasonable, and not unjustly discriminatory basis, and shall charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that Passenger Carrier may make reasonable and nondiscriminatory discounts, rebates or similar types of price reductions to volume purchasers.
- D. Noncompliance with Article XII A, B or C above, after timely notice by the Federal Aviation Administration to the Omaha Airport Authority of the noncompliance of Passenger Carrier and a failure of Passenger Carrier to substantially remedy such noncompliance within a reasonable period, shall constitute a material breach thereof, and in the event of such noncompliance, the Omaha Airport Authority shall



have the right to terminate this Passenger Carrier Permit.

- E. Passenger Carrier agrees to comply with pertinent statutes, Executive orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefitting from Federal assistance.

This provision obligates Passenger Carrier for the period during which Federal assistance is extended to the Airport through the Airport Improvement Program.

In cases where Federal assistance provides, or is in the form of personal property; real property or interest therein; structures or improvements thereon, this provision obligates the party or any transferee for the longer of the following periods:

1. The period during which property is used by the airport sponsor or any transferee for a purpose for which Federal assistance is extended, or for another purpose involving the provision of similar services or benefits; or
2. The period during which the airport sponsor or any transferee retains ownership or possession of the property.

- F. During the performance of this Passenger Carrier Permit, Passenger Carrier, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
2. 49 CFR part 21 (Non-discrimination in Federally-Assisted Programs of The Department of Transportation – Effectuation of Title VI of The Civil Rights Act of 1964);
3. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S. C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR part 27;
5. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
6. Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color,

national origin, or sex);

7. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients, consultants and sub-consultants, whether such programs or activities are Federally funded or not);
  8. Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 to 12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
  9. The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
  10. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
  11. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
  12. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 et seq.).
- G. This Passenger Carrier Permit is subject to the requirements of the U.S. Department of Transportation’s regulations, 49 CFR part 23. Passenger Carrier agrees that it will not discriminate against any business owner because of the owner’s race, color, national origin, or sex in connection with the award or performance of any concession Passenger Carrier Permit, management contract, or subcontract, purchase or lease Passenger Carrier Permit, or other Passenger Carrier Permit covered by 49 CFR part 23.

1. Passenger Carrier agrees to include the above statements in any subsequent concession Passenger Carrier Permit covered by 49 CFR part 23, that it enters and cause those businesses to similarly include the statements in further Passenger Carrier Permits.
2. Passenger Carrier, with regard to the work performed by it during the Passenger Carrier Permit, will not discriminate on the grounds of race, color, or national origin in the selection and retention of sub-contractor/sub-consultant/sub-lessee. Passenger Carrier will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the Passenger Carrier Permit covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.

### Equal Opportunity

Passenger Carrier and all agents shall not discriminate against any employee or applicant for employment because of race, creed, religion, color, sex, national origin, age or disability. Passenger Carrier shall take affirmative action to ensure that employees are treated during employment without regard to their race, creed, religion, color, sex, national origin, age or disability. Such action shall include, but not be limited to, the following:

- A. Employment, upgrading, demotion, or transfer;
- B. Recruitment or recruitment advertising;
- C. Layoff or termination;
- D. Rates of pay or other forms of compensation; and
- E. Selection for training, including apprenticeship.

Passenger Carrier agrees to post in conspicuous places, available to employees and applications for employment, notices setting forth the policies of non-discrimination. Passenger Carrier and all agents shall, in all solicitations or advertisements for employees placed by them or on their behalf, state that all qualified applicants will receive consideration for employment without regard to race, creed, religion, color, sex, national origin, age or disability.

### Binding Obligation

The provisions of this subsection bind Passenger Carrier and sub-tier agents from the effective date of the Passenger Carrier Permit through the completion of the Passenger Carrier Permit. This provision is in addition to that required of Title VI of the Civil Rights Act of 1964.

Passenger Carrier assures that, in the performance of its obligations under this Passenger Carrier Permit, it will fully comply with the requirements of 14 CFR part 152, subpart E

(Non-Discrimination in Airport Aid Program), as amended from time to time, to the extent applicable to Passenger Carrier, to ensure, among other things, that no person will be excluded from participating in any activities covered by such requirements on the grounds of race, creed, color, national origin, or sex. Passenger Carrier, if required by such requirements, will provide assurances to the Omaha Airport Authority that Passenger Carrier will undertake an affirmative action program and will require the same of its sub-contract/sub-consultant/sub-lessee.

Attached are copies of:

- Evidence of required insurance coverages naming the Omaha Airport Authority as an Additional Insured and
- PSC/DOT permit. Passenger Carrier has reviewed this Permit Application, and all applicable references to other documents as noted herein to the extent applicable, and unconditionally agrees to all terms and conditions.

Furthermore, Passenger Carrier understands that Passenger Carrier has an ongoing requirement to provide updated information as required in this Permit Application annually or as necessary due to changes.

Authorized company representative/title (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Return completed form to:* Omaha Airport Authority, Badging Office, 4501 Abbott Drive, Suite 2300, Omaha, Nebraska 68110

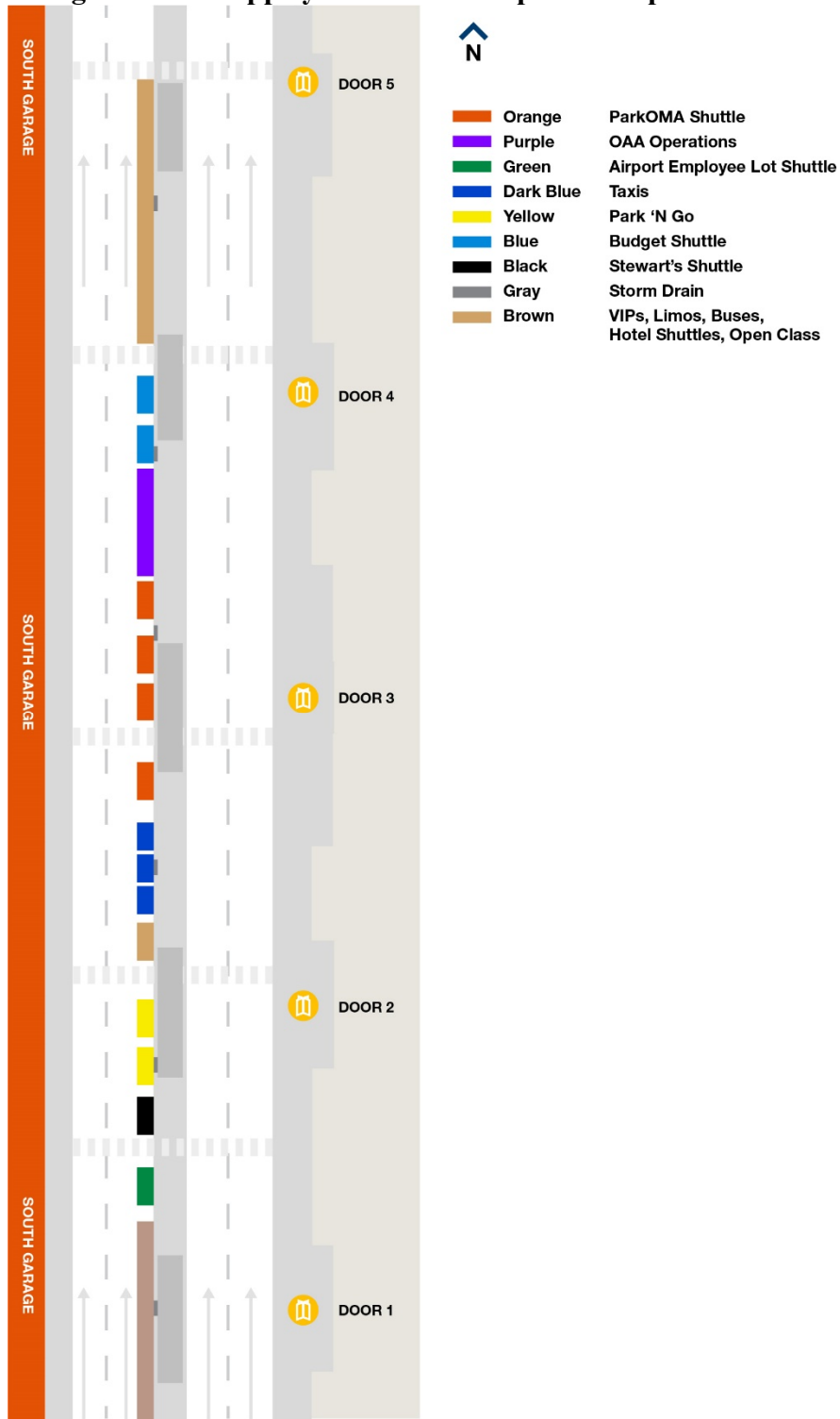
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*The Omaha Airport Authority will acknowledge receipt and provide written confirmation that the Passenger Carrier Permit Application was accepted, at which point in time the Passenger Carrier will be permitted to operate until status is revised or revoked.*

Omaha Airport Authority Accepted and Approved:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Exhibit B  
Omaha Airport Authority (Eppley Airfield)  
Designated Passenger Carrier Eppley Airfield Pick-up and Drop-off Zones**



The Omaha Airport Authority reserves the right at any time to change Passenger Carrier Pick-up and Drop-off Zones. Further, at any time including but not limited to high-volume or emergency situations, Airport Police may direct Drivers to alternate zones on the Commercial Curb.